IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.73088-M of 2006

DATE OF DECISION: NOVEMBER 21, 2006

Mamta Mehta and others

...PETITIONERS

VERSUS

State of Punjab and another

...RESPONDENTS

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.K.S.Dhaliwal, Advocate,
for the petitioners.

...

This is second petition for quashing of the FIR filed by the petitioners. The earlier petition, i.e., Crl.Misc.No.32524-M of 2006, was dismissed by this Court on May 26, 2006 while passing the following order:-

> "The petitioners are seeking quashing of FIR No.167 dated 13.7.2005 registered under Sections 406/498-A/120-B IPC, Police Station Kapurthala and subsequent proceedings arising therefrom.
>
> Heard learned counsel for the petitioners and with his assistance have gone through the averments made in the petition.
>
> In my view, no ground for quashing of the FIR qua the petitioners is made out, as the investigation is still in progress and any interference by this Court at this stage would amount to halt in the investigation which is uncalled for.
>
> Consequently, the instant petition is dismissed.
>
> At this stage, learned counsel for the petitioners contends that the petitioners are on bail and he prayed that the ladies be exempted from personal appearance.

I find substance in the statement made by the learned counsel for the petitioners. The personal appearance of petitioner Nos.1,2,5 & 6 shall remain exempted before the trial Court, till they are specifically required to appear. The aforesaid petitioners shall be moving an application through their counsel in this regard. The conditions shall be laid down by the trial Court, itself."

After arguing for some time, counsel for the petitioners does not want to press this petition with liberty to the petitioners to raise all the points raised in this petition at the appropriate stage of the trial, including at the stage of framing of the charge.

Dismissed as not pressed with the aforesaid liberty.

November 21, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE